

REMARKS

Claims 1-49 are currently pending in the application. Applicants have amended claims 1-14, 17-23, 26-31, 33-37, and 39-49. Applicants request reconsideration of the application in light of the following remarks.

Obviousness Rejection Under 35 U.S.C. § 103

Applicants submit that to establish a *prima facie* case of obviousness under 35 U.S.C. § 103, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Third, the cited prior art reference must teach or suggest all of the claim limitations. Furthermore, the suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, and not based on Applicant's disclosure. A failure to meet any one of these criteria is a failure to establish a *prima facie* case of obviousness.

Claims 1-49 were rejected by the Examiner under 35 U.S.C. § 103(a) as being unpatentable over Nielsen (U.S. Patent No. 5,826,031, hereinafter "Nielsen") in view of Obata (U.S. Patent No. 5,280,568, hereinafter "Obata"). Regarding Claim 1, the Examiner stated that Nielsen discloses that the claimed feature of an apparatus (See Abstract, Fig 1) comprising:

- a) at least one processor (See Fig 1)
- b) a memory coupled to the at least one processor (See Fig 1)
- c) a graphics file residing in the memory, the graphics file defining higher priority portions and lower priority portions such that when the graphics file is transferred, the higher

priority portions of the graphics file are transmitted before the lower priority portions of the graphics file. (See Fig 1, Abstract, col 1 line 51-57).

The Examiner admitted that Nielsen does not specifically disclose that “graphics file”. However, the Examiner stated that Nielsen discloses “a web page”, which includes a web objects (e.g. graphics file) and a web file. (See col 1 line 20-23, col 1 line 39-col 2 lines 23) The Examiner stated that the motivation would have been to retrieve more important objects faster than less important objects, as disclosed in Nielsen. (See col 1 line 58-63) The high ranked web object (e.g. graphics file) can be considered as higher priority portions of single file of web page, and the low ranked web objects can be considered as lower priority portions of web page. The Examiner concluded that it would have been obvious to one skilled in the art to have “graphics file” in the teaching of Nielsen.

The Examiner then admitted that Nielsen does not explicitly disclose a single graphics file, which contains higher priority portions and lower priority portions, as substantially claimed by applicant. However, the Examiner stated that Obata discloses that drawing a surface model [graphics file] for plural primitive surface models, [higher/lower priority portions] each primitive surface model being a part of the surface model, and applies drawing priority to each primitive surface model. (See Abstract, col 2 line 20-col 6 line 42). The Examiner stated that it would have been obvious to one having ordinary skill in the art at the time of applicant’s invention to combine the teachings of Nielsen and Obata, because the teachings/suggestions in Nielsen (See Abstract, col 1 line 39-50) regarding of “a web object may be, but is not limited to, text, a graphical user interface element, an image file, an audio file, an applet, or other computer code. The Examiner stated ‘Acting on’ the information element typically includes, but is not limited to, displaying the text, displaying the graphical user interface element, displaying the image file...”, would provide the motivation to have prioritized transmitting/receiving for a single graphic with differently

ranked image data, in order to retrieve/render more important objects faster than less important objects, as disclosed in Nielsen. (See col 1 line 58-63).

Applicant respectfully disagrees and submits that applicant's claimed invention is patentably distinct over Nielsen in view of Obata. Nielsen in view of Obata does not disclose or teach, as recited in applicant's amended claim 1, applicant's claimed invention of a "a transmitting computer" comprising "a prioritized graphics file residing in the memory, the prioritized graphics file defining higher priority image transmission portions and lower priority image transmission portions that have been selected and assigned priorities such that when the prioritized graphics file is transferred across a network, the higher priority image transmission portions of the prioritized graphics file are transmitted before the lower priority image transmission portions of the prioritized graphics file." Independent claims 8, 14, 23, 31 and 35 have been amended to include similar limitations.

Particularly, the prioritized graphics file of the claimed invention "defin[es] higher priority image transmission portions and lower priority image transmission portions that have been selected and assigned priorities." See independent claim 1 for example. The prioritized graphics file of the claimed invention embodies/includes/contains internally "higher priority image transmission portions and lower priority image transmission portions", as opposed to referencing external elements or objects. Applicant's specification at page 21, line 22 to page 22, line 10. Thus, an entire transmission image partitioned into prioritized portions is defined/contained within a single prioritized graphics file.

The claimed invention is also one in which the prioritization occurs previous to the transmitting computer transferring the prioritized graphics file across a network, with the higher priority image transmission portions transmitted before the lower priority image transmission portions. See independent claim 1 for example. As described in Applicant's specification, this allows the user to see and act upon the higher priority portions of an image

even before all the portions of that image are downloaded to the receiving computer. See Applicant's specification at page 10, lines 5-16.

To the contrary, Applicant submits that Nielsen and Obata do not suggest the desirability of making the combination and that the references do not teach the claim limitations. When applying 35 U.S.C. § 103, the references must be considered as a whole and must suggest the desirability and, thus, the obviousness of making the combination. *Hodash v. Block Drug Co., Inc.*, 786 F.2d 1136, 1143, n. 5, 229 USPQ 182, 187, n. 5 (Fed. Cir. 1986). Applicants further submit that references cannot be considered collectively until the Examiner points to some motivation to combine those references. The purpose behind this requirement is to prevent the Examiner from using the invention itself and hindsight reconstruction to defeat the patentability of the invention. The Federal Circuit articulates this position:

To prevent the use of hindsight based on the invention to defeat patentability of the invention, this court requires the examiner to show a motivation to combine the references that create the case of obviousness. In other words, the examiner must show reasons that the skilled artisan, confronted with the same problems as the inventor and with no knowledge of the claimed invention, would select the elements from the cited prior art references for combination in the manner claimed.

See In re Rouffet et al., No. 97-1492, 1998 U.S. App. Lexis 16414, at 15-16 (Fed. Cir. 1998) (emphasis added).

Nielsen and Obata do not suggest the desirability of making the combination. Applicant reads Nielsen as disclosing an invention where the different elements or objects that make up a web page are downloaded in a specified order after the web file has been retrieved by a receiving computer. Thus, instead of a "prioritized graphics file residing in the memory" of a transmitting computer with the "higher priority image transmission portions and lower priority image transmission portions that have been selected and assigned

priorities”, as per independent claim 1 for example, Nielsen uses a web browser of a receiving computer to prioritize different references to external elements/objects among themselves. Applicant notes that web pages are commonly implemented using a markup language known as hyper-text-markup language, or HTML. The HTML language is then used to define the structure and behavior of the web page. Included in this, is the ability of HTML to reference other files that will be incorporated into the web page. For example, HTML documents can reference graphics files, audio files, applets or other elements, by specifying their file location and how they are to be incorporated into the web page. However, these other elements are not part of the base HTML file itself, but are instead separate files that are only referenced by the HTML file. When a web browser downloads a web page, the base HTML file is first downloaded, and then the referenced elements, such as graphic files, are requested by the web browser, downloaded, and integrated into the web page.

Therefore, applicant’s reading of Nielsen finds a reference that discloses the download prioritization of different external elements referenced by an HTML document (see Nielsen col.1, lines 51 - 54 and column 6, lines 45-49), but does not disclose a “a “prioritized graphics file residing in the memory” of a transmitting computer with the “higher priority image transmission portions and lower priority image transmission portions that have been selected and assigned priorities” as claimed by applicant and described previously.

Additionally, Applicant respectfully submits that the Examiner has misinterpreted Obata and that it does not teach “a prioritized graphics file residing in the memory” of a transmitting computer, “the prioritized graphics file defining higher priority image transmission portions and lower priority image transmission portions that have been selected and assigned priorities such that when the prioritized graphics file is transferred across a network, the higher priority image transmission portions of the prioritized graphics file are transmitted before the lower priority image transmission portions of the prioritized graphics

file.” See independent claim 1 for example. Instead, Applicant reads Obata as disclosing an invention where a surface model is drawn three dimensionally so as to display the appearance of a target object by : 1) applying both depth values on a pixel basis and a drawing priority to primitive surface models (a part of a surface model that is composed of one or more plane components to form a primitive shape); and 2) drawing each primitive surface model by taking the depth values and drawing priorities into consideration. See Obata column 1, lines 15-17 and column 2, lines 27-34. Each primitive surface model is assigned its drawing priority based on the relative position of each primitive surface model based on a construction order for each primitive surface model. See Obata column 7, lines 26-35.

Thus, instead of a “prioritized graphics file residing in the memory” of a transmitting computer, “the prioritized graphics file defining higher priority image transmission portions and lower priority image transmission portions that have been selected and assigned priorities” based on a transmission order/priority for transfer across a network, as claimed by Applicant, Obata discloses only a mathematical representation of a target object that is drawn based upon a construction order (not a transmission order/priority).

Therefore, applicant’s reading of Nielsen and Obata finds references that do not disclose a “a prioritized graphics file residing in the memory” of a transmitting computer, “the prioritized graphics file defining higher priority image transmission portions and lower priority image transmission portions that have been selected and assigned priorities such that when the prioritized graphics file is transferred across a network, the higher priority image transmission portions of the prioritized graphics file are transmitted before the lower priority image transmission portions of the prioritized graphics file” as claimed by applicant and described previously. Thus, the references do not suggest the desirability of making the combination.

Even if the Nielsen and Obata are combined (and applicant maintains that combination is improper), the cited references do not teach each claim limitation. As detailed above, Obata actually teaches that a surface model (not a prioritized graphics file) is drawn based upon a construction order (not a transmission order/priority), while Nielsen actually teaches that the different elements/objects that make up a web page are downloaded in a specified order after the web file has been retrieved by a receiving computer. Therefore, Obata does not teach “a prioritized graphics file residing in the memory” of a transmitting computer, “the prioritized graphics file defining higher priority image transmission portions and lower priority image transmission portions that have been selected and assigned priorities such that when the prioritized graphics file is transferred across a network, the higher priority image transmission portions of the prioritized graphics file are transmitted before the lower priority image transmission portions of the prioritized graphics file as required by the claims.

Thus, applicants submit independent claims 1, 8, 14, 23, 31 and 35 are patentably distinct over Nielsen in view of Obata. Furthermore, as claims 2-7, 9-13, 15-22, 24-30, 32-34 and 36-40 depend from, and include all the limitations of their respective independent claims, they are also submitted to be patentably distinct.

Moreover, regarding claim 2, 8, 17, 23 and 35 the Examiner stated that Nielsen discloses that a receiving computer receiving portions of the graphics file, the receiving computer comprising an image interpreter and an image viewer residing on the receiving computer, the image interpreter translating the received portions of the graphics file into image data, such that the image viewer can display the higher priority portions of the graphics file before displaying the lower priority portions of the graphics file. (See Abstract, Fig 1, col 1 line 51-57; also See Abstract, col 2 line 20- col 6 line 42 in Obata). Per the Examiner, the combination of Nielsen and Obata do not explicitly disclose that “an image interpreter”. However, the Examiner concluded that the image interpreter is inherent by the web browser in order to display the received image file on the display device, and that

therefore, it would have been obvious to one skilled in the art to have “image interpreter” in the teaching of Nielsen.

Applicant agrees with the Examiner that an image interpreter is an inherent feature of a web browser. However, applicant points out that it is the prioritizing of the internal elements of a graphics file, prior to transmittal to the receiver of that file, which is substantially claimed by applicant. Nielsen does not disclose the prioritization of the “Web File” such that the higher priority elements of that “Web File” are received before the lower priority elements. Nielsen discloses only that external object references, “web object references,” which are within the “Web File” and reference the external web objects, are prioritized. See Nielsen, col. 1, lines 51-54 (emphasis added).

Regarding claims 3, 9, 18, 26 and 38 the Examiner stated that Nielsen discloses that an image prioritization editor residing in the memory, the image prioritization editor allowing at least one portion of the graphics file to be selected and assigned at least one priority. (See Abstract, Fig 1, col 1 line 51-57, col 6 line 13-23; also See Abstract, col 2 line 20-col 6 line 42 in Obata).

Applicant respectfully disagrees with the Examiner. Nielsen does not disclose that constituent portions of a graphics file are prioritized, but rather discloses that objects existing outside of the bounds of the “Web File”, but referenced within that Web File, are prioritized. See Nielsen, Abstract, col. 1, lines 51 - 57, and col. 6, lines 13 - 23.

For example, Nielsen mentions an HTML image file tag within the confines of the “Web File.” See Nielsen, col. 6, lines 13 - 23. This tag, , is an reference to an image file, mypicture.gif, which exists, as a whole, outside of the bounds of the “Web File.” Applying applicant’s invention in this context, the elements of the file mypicture.gif would be prioritized within the confines of the file.

Regarding claim 6, the Examiner stated that Nielsen discloses that the graphics file format comprises a plurality of portions of the graphics file, each portion corresponding to the at least one priority. (See Abstract, Fig 1, col 6 line 13-23; also See Abstract, col 2 line 20-col 6 line 42 in Obata).

Applicant respectfully disagrees with the Examiner. Nielsen discloses a web file with references to objects which are external to the bounds of the web file and it is those external objects which are prioritized for retrieval purposes. See Nielsen, col. 6, lines 13 - 23. Applicant's invention lies in the prioritization of the internal elements of a graphics file, not in any externally referenced objects.

In summary, and in view of the amendments herein, none of the references cited by the Examiner nor any other known prior art, either alone or in combination, disclose the unique combination of features disclosed in applicant's claims presently on file. For this reason, allowance of all of applicant's claims is respectfully solicited.

CONCLUSION

Applicants hereby declare that any amendments herein that are not specifically made for the purpose of patentability are made for other purposes, such as clarification, and that no such changes shall be construed as limiting the scope of the claims or the application of the Doctrine of Equivalents.

The Applicants herewith petitions the Commissioner of Patents and Trademarks to extend the time for reply to the office action dated September 24, 2001 for two (2) months. Submitted herewith is a check for \$400.00 to cover the cost of the extension. If any additional fees, including additional extension of time fees, are due as a result of this response, please charge IBM Corp. Deposit No. No. 09-0465. This authorization is intended

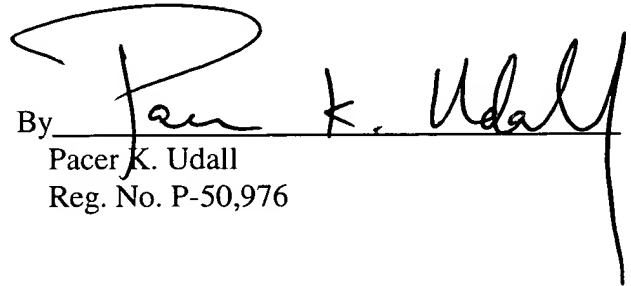
to act as a constructive petition for an additional extension of time, should an additional extension of time be needed as a result of this response. Please credit any overpayment to the above number deposit account. The Examiner is invited to telephone the undersigned if this would in any way advance the prosecution of this case.

Respectfully submitted,

Date:

2/25/02

By


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VERSION WITH MARKINGS TO SHOW CHANGES MADE

Claim 1. (Amended) An apparatus comprising a transmitting computer comprising:
at least one processor;
a memory coupled to the at least one processor; and
a prioritized graphics file residing in the memory, the prioritized graphics file defining higher priority image transmission portions and lower priority image transmission portions that have been selected and assigned priorities such that when the prioritized graphics file is transferred across a network, the higher priority image transmission portions of the prioritized graphics file are transmitted before the lower priority image transmission portions of the prioritized graphics file.

Claim 2. (Amended) The apparatus of claim 1 further comprising a receiving computer receiving image transmission portions of the prioritized graphics file, the receiving computer comprising an image interpreter and an image viewer residing on the receiving computer, the image interpreter translating the received image transmission portions of the prioritized graphics file into image data, such that the image viewer can display the higher priority image transmission portions of the prioritized graphics file before displaying the lower priority image transmission portions of the prioritized graphics file.

Claim 3. (Amended) The apparatus of claim 1 further comprising an image prioritization editor residing in the memory, the image prioritization editor allowing at least one image transmission portion of the prioritized graphics file to be selected and assigned at least one priority.

Claim 4. (Amended) The apparatus of claim 3 further comprising an image interpreter, the image interpreter saving the prioritized graphics file in a prioritized graphics file format.

Claim 5. (Amended) The apparatus of claim 4 wherein the prioritized graphics file format comprises joint picture experts group format, graphics interchange format, or bitmap format.

Claim 6. (Amended) The apparatus of claim 4 wherein the prioritized graphics file format comprises a plurality of image transmission portions of the prioritized graphics file, each image transmission portion corresponding to the at least one priority.

Claim 7. (Amended) The apparatus of claim 1 wherein the apparatus further comprises a simulation browser residing in the memory, the simulation browser simulating transmission and reception of the prioritized graphics file, the simulation browser adding a delay between image transmission portions of the prioritized graphics file.

Claim 8. (Amended) An apparatus comprising:

a transmitting computer comprising:

- c) at least one processor;
- b) a memory coupled to the at least one processor;
- c) a[n] prioritized graphics file residing in the memory, the prioritized graphics file defining higher priority image transmission portions and lower priority image transmission portions that have been selected and assigned priorities such that[,] when the prioritized graphics file is transferred across a network, the higher priority image transmission portions of the prioritized graphics file are transmitted before the lower priority image transmission portions of the prioritized graphics file; and

a receiving computer receiving the prioritized graphics file as received data from the transmitting computer, the receiving computer including:

- a) at least one processor;
- b) a memory coupled to the at least one processor;
- c) an image viewer residing in the memory;
- d) an image interpreter residing in the memory and cooperating with the image viewer to allow the image viewer to display received images, the image viewer translating the received data into image data to allow the image viewer to display the image data corresponding to the higher priority image transmission portions of the prioritized graphics file before displaying the image data corresponding to the lower priority image transmission portions of the prioritized graphics file.

Claim 9. (Amended) The apparatus of claim 8 wherein the transmitting computer further comprises an image prioritization editor residing in the memory, the image prioritization editor allowing at least one image transmission portion of the prioritized graphics file to be selected and assigned at least one priority.

Claim 10. (Amended) The apparatus of claim 9 wherein the transmitting computer further comprises an image interpreter, the image interpreter saving the prioritized graphics file in a prioritized graphics file format.

Claim 11. (Amended) The apparatus of claim 10 wherein the prioritized graphics file format comprises joint picture experts group format, graphics interchange format, or bitmap format.

Claim 12. (Amended) The apparatus of claim 10 wherein the prioritized graphics file format comprises a plurality of image transmission portions of the prioritized graphics file, each image transmission portion corresponding to the at least one priority.

Claim 13. (Amended) The apparatus of claim 8 wherein the transmitting computer further comprises a simulation browser residing in the memory, the simulation browser simulating transmission and reception of the prioritized graphics file, the simulation browser adding a delay between image transmission portions of the prioritized graphics file.

Claim 14. (Amended) A program product comprising:
an image interpreter for creating a prioritized transmission graphics file, the prioritized transmission graphics file defining higher priority image transmission portions and lower priority image transmission portions that have been selected and assigned priorities such that when the prioritized transmission graphics file is transferred across a network, the higher priority image transmission portions of the prioritized transmission graphics file are transmitted before the lower priority image transmission portions of the prioritized transmission graphics file; and
signal bearing media bearing the image interpreter.

Claim 15. (Unchanged) The program product of claim 14 wherein the signal bearing media comprises transmission media.

Claim 16. (Unchanged) The program product of claim 14 wherein the signal bearing media comprises recordable media.

Claim 17. (Amended) The program product of claim 14 wherein the image interpreter can translate received image reception portions of a prioritized reception graphics file into image data[,] such that an image viewer can display the higher priority image reception portions of the prioritized reception graphics file before displaying the lower priority image reception portions of the prioritized reception graphics file.

Claim 18. (Amended) The program product of claim 14 further comprising an image prioritization editor, the image prioritization editor allowing at least one image transmission portion of the prioritized transmission graphics file to be selected and assigned at least one priority.

Claim 19. (Amended) The program product of claim 18 wherein the image interpreter can save the prioritized transmission graphics file in a prioritized transmission graphics file format.

Claim 20. (Amended) The program product of claim 19 wherein the prioritized transmission graphics file format comprises joint picture experts group format, graphics interchange format, or bitmap format.

Claim 21. (Amended) The program product of claim 19 wherein the prioritized transmission graphics file format comprises a plurality of image transmission portions of the prioritized transmission graphics file, each image transmission portion corresponding to the at least one priority.

Claim 22. (Amended) The program product of claim 14 wherein the program product further comprises a simulation browser for simulating transmission and reception of the prioritized transmission graphics file, the simulation browser adding a delay between image transmission portions of the prioritized transmission graphics file.

Claim 23. (Amended) A program product comprising:
an image interpreter for creating a prioritized transmission graphics file, the prioritized transmission graphics file defining higher priority image transmission portions and lower priority image transmission portions that have been selected and assigned priorities such that when the prioritized transmission graphics file is transferred across a network, the higher priority image transmission portions of the prioritized transmission graphics file are transmitted before the lower priority image transmission portions of the prioritized transmission graphics file, the image interpreter also for translating received image reception portions of a prioritized reception graphics file into image data[,] such that an image viewer can display the higher priority image reception portions of the prioritized reception graphics file before displaying the lower priority image reception portions of the prioritized reception graphics file; and
signal bearing media bearing the image interpreter.

Claim 24. (Unchanged) The program product of claim 23 wherein the signal bearing media comprises transmission media.

Claim 25. (Unchanged) The program product of claim 23 wherein the signal bearing media comprises recordable media.

Claim 26. (Amended) The program product of claim 23 further comprising an image prioritization editor for allowing at least one image transmission portion of the prioritized transmission graphics file to be selected and assigned at least one priority.

Claim 27. (Amended) The program product of claim 26 wherein image interpreter can save the prioritized transmission graphics file in a prioritized transmission graphics file format.

Claim 28. (Amended) The program product of claim 27 wherein the prioritized transmission graphics file format comprises joint picture experts group format, graphics interchange format, or bitmap format.

Claim 29. (Amended) The program product of claim 27 wherein the prioritized transmission graphics file format comprises a plurality of image transmission portions of the prioritized transmission graphics file, each image transmission portion corresponding to the at least one priority.

Claim 30. (Amended) The program product of claim 23 further comprising a simulation browser for simulating transmission and reception of the prioritized transmission graphics file, the simulation browser adding a delay between image transmission portions of the prioritized transmission graphics file.

Claim 31. (Amended) A method for transmitting a graphics file from a transmitting computer, the method comprising the steps of:

- a) selecting at least one image transmission portion of the graphics file;
- b) assigning a priority to the selected at least one image transmission portion to create a prioritized graphics file; and
- c) transmitting the prioritized graphics file across a network such that [the] higher priority image transmission portions are transmitted before [the] lower priority image transmission portions.

Claim 32. (Previously Amended) The method of claim 31 further comprising the step of saving the prioritized graphics file in a prioritized graphics file format.

Claim 33. (Amended) The method of claim 32 wherein the prioritized graphics file format comprises joint picture experts group format, graphics interchange format, or bitmap format.

Claim 34. (Amended) The method of claim 32 wherein the prioritized graphics file format comprises a plurality of image transmission portions of the prioritized graphics file, each image transmission portion corresponding to the at least one priority.

Claim 35. (Amended) A method for transmitting a graphics file from a transmitting computer and receiving the graphics file on a receiving computer, the method comprising the steps of:

- a) performing the following steps on the transmitting computer:
 - iii) selecting at least one image transmission portion of the graphics file;
 - ii) assigning a priority to the selected at least one image transmission portion to create a prioritized graphics file; and
 - iii) transmitting the prioritized graphics file across a network such that [the] higher priority image transmission portions are transmitted before [the] lower priority image transmission portions;
- b) performing the following steps on the receiving computer:
 - i) receiving a image transmission portion of the prioritized graphics file;
 - ii) translating the image transmission portion of the prioritized graphics file into image data;
 - iii) determining the location of the image transmission portion of the prioritized graphics file; and
 - iv) transferring the image data and the location to an image viewer such that the image viewer can display the image transmission portion of the prioritized graphics file at the location.

Claim 36. (Amended) The method of claim 35 wherein the step of transmitting the prioritized graphics file across a network such that [the] higher priority image transmission portions are transmitted before [the] lower priority image transmission portions further comprises the following steps:

- A) simulating transmission and reception of a image transmission portion of the prioritized graphics file;
- B) translating the image transmission portion of the prioritized graphics file into image data;
- C) determining the location of the image transmission portion of the prioritized graphics file;
- D) transferring the image data and the location to an image viewer such that the image viewer can display the image transmission portion of the prioritized graphics file at the location
- E) waiting a delay; and
- F) repeating steps A through E until the entire prioritized graphics file has been transmitted and received.

Claim 37. (Amended) The method of claim 35 wherein the step of translating the image transmission portion of the prioritized graphics file into image data further comprises the step of decompressing the image transmission portion of the prioritized graphics file.

Claim 38. (Previously Amended) The method of claim 35 further comprising the following step that is performed on the transmitting computer:

iv) saving the prioritized graphics file in a prioritized graphics file format.

Claim 39. (Amended) The method of claim 38 wherein the prioritized graphics file format comprises joint picture experts group format, graphics interchange format, or bitmap format.

Claim 40. (Amended) The method of claim 38 wherein the prioritized graphics file format comprises a plurality of image transmission portions of the prioritized graphics file, each image transmission portion corresponding to the at least one priority.

Claim 41. (Amended) The apparatus of claim 1 wherein the prioritized graphics file comprises a joint picture experts group file.

Claim 42. (Amended) The apparatus of claim 1 wherein the prioritized graphics file comprises a graphics interchange format file.

Claim 43. (Amended) The apparatus of claim 1 wherein the prioritized graphics file comprises a bitmap file.

Claim 44. (Amended) The program product of claim 14 wherein the prioritized graphics file comprises a joint picture experts group file.

Claim 45. (Amended) The program product of claim 14 wherein the prioritized graphics file comprises a graphics interchange format file.

Claim 46. (Amended) The program product of claim 14 wherein the prioritized graphics file comprises a bitmap file.

Claim 47. (Amended) The method of claim 31 wherein the prioritized graphics file comprises a joint picture experts group file.

Claim 48. (Amended) The method of claim 31 wherein the prioritized graphics file comprises a graphics interchange format file.

Claim 49. (Amended) The method of claim 31 wherein the prioritized graphics file comprises a bitmap file.